

June 30, 1966, for the purpose of making the payments provided for in this act and for administrative costs related thereto.

Section 3. This act shall take effect immediately.

APPROVED—The 22d day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 459

AN ACT

HB 1606

Amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossing of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejection proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action, giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," further providing for the method of fixing rates of public utilities engaged exclusively in common carriage by motor vehicle.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 311, act of May 28, 1937 (P. L. 1053), known

as the "Public Utility Law," amended August 1, 1963 (P. L. 449), is amended to read:

Section 311. Valuation of Property of a Public Utility.—The commission may, after reasonable notice and hearing, ascertain and fix the fair value of the whole or any part of the property of any public utility, in so far as the same is material to the exercise of the jurisdiction of the commission, and may make revaluations from time to time and ascertain the fair value of all new construction, extensions, and additions to the property of any public utility. When any public utility furnishes more than one of the different types of utility service enumerated in paragraph seventeen of section two of this act, the commission shall segregate the property used and useful in furnishing each type of such service, and shall not consider the property of such public utility as a unit in determining the value of the property of such public utility for the purpose of fixing rates. In fixing any rate of a public utility engaged exclusively in common carriage [of passengers] by motor vehicles, the commission may, in lieu of other standards established by law, fix the fair return by relating the fair and reasonable operating expenses, depreciation, taxes and other costs of furnishing service to carrier operating revenues.

Section 2. This act shall take effect in ninety days.

APPROVED—The 22d day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 460

AN ACT

HB 1736

Amending the act of May 20, 1949 (P. L. 1591), entitled "An act providing for the compensation of the mayor, council and appointed officers in cities of the second class A," establishing a minimum for the compensation of the mayor and councilmen, and granting to the city council the authority to fix the salary of the controller and appointed city officers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 1, act of May 20, 1949 (P. L. 1591), entitled "An act providing for the compensation of the mayor, council and appointed officers in cities of the second class A,"¹ amended May 29, 1956 (P. L. 1870), is amended to read:

¹ "as" in original.